

Snell & Wilmer

L.L.P.

LAW OFFICES

One Arizona Center
 Phoenix, Arizona 85004-2202
 (602) 382-6000
 Fax: (602) 382-6070
 www.swlaw.com

RECEIVED
 CENTRAL FAX CENTER

APR 01 2005

PHOENIX, ARIZONA

TUCSON, ARIZONA

IRVINE, CALIFORNIA

SALT LAKE CITY, UTAH

DENVER, COLORADO

LAS VEGAS, NEVADA

FACSIMILE TRANSMISSION

DATE: April 1, 2005

TIME IN:
TIME OUT:

TO:

Name	Fax Number	Phone Number
Christopher S. Kim, Examiner Group Art Unit 3752 U.S. Patent and Trademark Office	703-872-9306	703-308-8336

FROM: Damon L. Boyd

PHONE: 602-382-6337

RE: Our Docket No. 29930.8000
 U.S. Patent Application Serial No. 10/091,256

MESSAGE:

Transmitted herewith is our Response and Request for Continued Examination to the Final Office Action of December 1, 2004. Thank you.

Sincerely, Damon L. Boyd, Reg. No. 44,552

ORIGINAL DOCUMENT: Will not be sent

NUMBER OF PAGES (Including Cover):

13

CONFIRMATION NO.:

CLIENT MATTER NO.: 99999.0000

PLEASE RETURN TO: Nieto 15s26

PERSONAL FAX: No

REQUESTOR:

Damon L. Boyd

DIRECT LINE:

602-382-6337

IF YOU HAVE NOT PROPERLY RECEIVED THIS TELECOPY, PLEASE CALL US AT (602) 382-6075.
 OUR FACSIMILE NUMBER IS (602) 382-6070.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

1655576

CERTIFICATE OF TRANSMISSION VIA FACSIMILE PURSUANT TO 37 C.F.R. 1.6(d)

I certify that this document is being sent via facsimile to the United States Patent And Trademark Office, at facsimile no. 703/872-9306, on:

Date: 4-1-05By: *Tri Noto*

Signature of Person Depositing Facsimile

**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE****UTILITY PATENT**

Applicants:	Triplett, et al.	Docket No.	29930.8000
Serial No.:	10/091,256	Group Art Unit:	3752
Filing Date:	March 5, 2002	Examiner:	Christopher S. Kim
Title:	AN EMANATOR FOR EVAPORATION OF A LIQUID THEREFROM	Confirmation No.:	6817

TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith is an Amendment and Request for Continued Examination in response to the Final Office Action dated December 1, 2004 for the captioned matter.

I. Small Entity Status

☐ Small entity status under 37 C.F.R. §§1.9 and 1.27 is claimed.

FEE CALCULATION, CLAIMS AS AMENDED**II.**

	Claims remaining after amendment		Highest number previously paid for		Present Extra		Additional Fee
Total Effective	14	minus	24	=	0	x \$ 50.00 =	0.00
Claims							
Independent Claims	3	minus	4	=	0	x \$ 200.00 =	0.00
If amendment enters proper multiple dependent claim(s) into this application for first time (per application)						\$360.00 +	N/A
						Subtotal:	\$0.00

Serial No. 10/091,256

III. Fee Calculation: Request for Extension of Time pursuant to 37 C.F.R. §1.17(a)

<input checked="" type="checkbox"/> Response Filed within first month after due date – add	\$ 120.00 +	\$120.00
<input type="checkbox"/> Response filed within second month after due date – add	\$ 450.00 +	N/A
<input type="checkbox"/> Response filed within third month after due date – add	\$ 1,020.00 +	N/A
<input type="checkbox"/> Response filed within fourth month after due date – add	\$1,590.00 +	N/A
<input type="checkbox"/> Response filed within fifth month after due date – add	\$2,160.00 +	N/A
	Subtotal:	\$120.00
		N/A

If one of the "small entity" boxes above is checked, enter half (1/2) of the Subtotal and subtract.

IV. Fee Calculation:

RCE Fee pursuant to 37 C.F.R. §1.114	x	\$790.00 =	\$910.00
--------------------------------------	---	------------	----------

If one of the "small entity" boxes above is checked, enter half (1/2) of the Subtotal and subtract.

TOTAL FEES DUE **\$910.00**

V. Enclosures (check as applicable)

☒ RCE with Response and Amendment
☒ Acknowledgement Postcard

VI. Manner of Payment

☒ Please debit Deposit Account No. 19-2814 in the amount of \$910.00 for which purpose a duplicate copy of this sheet is attached.
☐ A check in the amount of \$ _____ is attached (Snell & Wilmer Check No. _____)
☐ No Additional Fee Required.

This statement does NOT authorize charge of the issue fee. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.18 (deficiency only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-2814 for which purpose a duplicate copy of this sheet is attached.

Respectfully submitted,

Date:

1 Apr: 1 2005

By:

Damon L. Boyd, Reg. No. 44,552

Snell & Wilmer L.L.P.
 One Arizona Center
 400 East Van Buren
 Phoenix, Arizona 85004-2202
 (602) 382-6337

CERTIFICATE OF TRANSMISSION VIA FACSIMILE PURSUANT TO 37 C.F.R. 1.6(d)

I certify that this document is being sent via facsimile to the United States Patent And Trademark Office, at facsimile no. 703/872-9306, on:

Date: 4-1-05

By: *Sri Nello*
Signature of Person Depositing Facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT

Applicants:	Triplett, et al.	Docket No.	29930.8000
Serial No.:	10/091,256	Group Art Unit:	3752
Filing Date:	March 5, 2002	Examiner:	Christopher S. Kim
Title:	AN EMANATOR FOR EVAPORATION OF A LIQUID THEREFROM	Confirmation No.:	6817

TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith is an Amendment and Request for Continued Examination in response to the Final Office Action dated December 1, 2004 for the captioned matter.

I. Small Entity Status

☐ Small entity status under 37 C.F.R. §§1.9 and 1.27 is claimed.

FEE CALCULATION, CLAIMS AS AMENDED

II.

	Claims remaining after amendment		Highest number previously paid for		Present Extra		Additional Fee
Total Effective Claims	14	minus	24	=	0	x \$ 50.00 =	0.00
Independent Claims	3	minus	4	=	0	x \$ 200.00 =	0.00
If amendment enters proper multiple dependent claim(s) into this application for first time (per application)						\$360.00 +	N/A
						Subtotal:	\$0.00

COPY

Serial No. 10/091,256

III. Fee Calculation: Request for Extension of Time pursuant to 37 C.F.R. §1.17(a)

<input checked="" type="checkbox"/> [X] Response Filed within first month after due date – add	\$ 120.00 +	\$120.00
<input type="checkbox"/> [] Response filed within second month after due date – add	\$ 450.00 +	N/A
<input type="checkbox"/> [] Response filed within third month after due date – add	\$ 1,020.00 +	N/A
<input type="checkbox"/> [] Response filed within fourth month after due date – add	\$1,590.00 +	N/A
<input type="checkbox"/> [] Response filed within fifth month after due date – add	\$2,160.00 +	N/A
	Subtotal:	\$120.00

N/A

If one of the "small entity" boxes above is checked, enter half (1/2) of the Subtotal and subtract.

IV. Fee Calculation:

RCE Fee pursuant to 37 C.F.R. §1.114

x \$790.00 = \$910.00

If one of the "small entity" boxes above is checked, enter half (1/2) of the Subtotal and subtract.

N/A

TOTAL FEES DUE \$910.00**V. Enclosures (check as applicable)**

☒ [X] RCE with Response and Amendment
☒ [X] Acknowledgement Postcard

VI. Manner of Payment

☒ [X] Please debit Deposit Account No. 19-2814 in the amount of \$910.00 for which purpose a duplicate copy of this sheet is attached.
☐ [] A check in the amount of \$ _____ is attached (Snell & Wilmer Check No. _____)
☐ [] No Additional Fee Required.

This statement does NOT authorize charge of the issue fee. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.18 (deficiency only) now or hereafter relative to this Application, and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-2814 for which purpose a duplicate copy of this sheet is attached.

Respectfully submitted,

Date: 1 Apr 1 2005By: 
Damon L. Boyd, Reg. No. 44,552

Snell & Wilmer L.L.P.
 One Arizona Center
 400 East Van Buren
 Phoenix, Arizona 85004-2202
 (602) 382-6337

PTO/SB/30 (09-04)

Approved for use through 07/31/2008. OMB 0551-0031

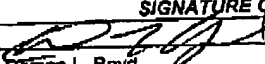
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.


Request for Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/091,258	RECEIVED CENTRAL FAX CENTER APR 01 2005
	Filing Date	March 5, 2002	
	First Named Inventor	Triplett	
	Art Unit	3752	
	Examiner Name	C. Kim	
	Attorney Docket Number	29930.8000	

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees**
- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 19-2814 I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED		
Signature		Date <u>1 Apr 1 2005</u>
Name (Print/Type)	Damon L. Boyd	Registration No. 44,552

CERTIFICATE OF MAILING OR TRANSMISSION		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.		
Signature		Date <u>5-1-05</u>
Name (Print/Type)	Sari Nieto	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SE/30 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request
for
Continued Examination (RCE)
TransmittalAddress to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/091,256
Filing Date	March 5, 2002
First Named Inventor	Triplett
Art Unit	3752
Examiner Name	C. Kim
Attorney Docket Number	20030.8000

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

L. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

II. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months: Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
The Director is hereby authorized to charge the following fees, or credit any overpayments, to
a. ☒ Deposit Account No. 19-2814. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>[Signature]</i>	Date	1 April 2005
Name (Print/Type)	Damon L. Boyd	Registration No.	44,552

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>[Signature]</i>	Date	4-1-05
Name (Print/Type)	Sari Nelo		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.